STATE OF NEW YORK

10359

IN SENATE

May 15, 2026

Introduced by Sen. RHOADS -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the penal law, in relation to prohibiting persons from protesting within twenty-five feet of houses of worship

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The penal law is amended by adding a new section 240.80 to read as follows:

§ 240.80 Criminal interference with religious worship in the second degree.

1. A person is guilty of criminal interference with religious worship in the second degree when:

(a) by force or threat of force or by physical obstruction, such person intentionally injures, intimidates or interferes with, or attempts to injure, intimidate or interfere with, another person because such person was or is seeking to exercise the right of religious freedom at a place of religious worship; or

(b) such person intentionally damages the property of a place of religious worship; or

(c) such person or persons engages in protest outside a place of religious worship within twenty-five feet of such place to include its parking lot, entrance, driveway or driveway entrance; or

(d) such person or persons prevents the entrance to a place of religious worship or prevents the exit from a place of religious worship.

2. For the purposes of this section:

(a) the term "interferes with" means to restrict a person's freedom of movement; and

(b) the term "intimidates" means to place a person in reasonable apprehension of physical injury to themselves or to another person.

Criminal interference with or religious worship in the second degree is a class A misdemeanor.

§ 2. The penal law is amended by adding a new section 240.81 to read as follows:

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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§ 240.81 Criminal interference with religious worship in the second degree.

A person is guilty of criminal interference with religious worship in the first degree when such person commits the crime of criminal interference with religious worship in the second degree and has been previously convicted of the crime of criminal interference with religious worship in the first or second degree.

Criminal interference with religious worship in the first degree is a class E felony.

§ 3. Section 240.70 of the penal law, as added by chapter 635 of the laws of 1999, is amended to read as follows:

§ 240.70 Criminal interference with health care services [~~or religious worship~~] in the second degree.

1. A person is guilty of criminal interference with health services [~~or religious worship~~] in the second degree when:

(a) by force or threat of force or by physical obstruction, [~~he or she~~] such person intentionally injures, intimidates or interferes with, or attempts to injure, intimidate or interfere with, another person because such other person was or is obtaining or providing reproductive health services; or

(b) by force or threat of force or by physical obstruction, [~~he or she~~] such person intentionally injures, intimidates or interferes with, or attempts to injure, intimidate or interfere with, another person in order to discourage such other person or any other person or persons from obtaining or providing reproductive health services; or

(c) [~~by force or threat of force or by physical obstruction, he or she intentionally injures, intimidates or interferes with, or attempts to injure, intimidate or interfere with, another person because such person was or is seeking to exercise the right of religious freedom at a place of religious worship; or~~

~~(d) he or she~~] such person intentionally damages the property of a health care facility, or attempts to do so, because such facility provides reproductive health services[~~, or intentionally damages the property of a place of religious worship~~].

2. A parent or legal guardian of a minor shall not be subject to prosecution for conduct otherwise prohibited by paragraph (a) or (b) of subdivision one of this section which is directed exclusively at such minor.

3. For purposes of this section:

(a) the term "health care facility" means a hospital, clinic, physician's office or other facility that provides reproductive health services, and includes the building or structure in which the facility is located;

(b) the term "interferes with" means to restrict a person's freedom of movement;

(c) the term "intimidates" means to place a person in reasonable apprehension of physical injury to [~~himself or herself~~] themselves or to another person;

(d) the term "physical obstruction" means rendering impassable ingress to or egress from a facility that provides reproductive health services [~~or to or from a place of religious worship,~~] or rendering passage to or from such a facility [~~or place of religious worship~~] unreasonably difficult or hazardous; and

(e) the term "reproductive health services" means health care services provided in a hospital, clinic, physician's office or other facility and includes medical, surgical, counseling or referral services relating to

the human reproductive system, including services relating to pregnancy or the termination of a pregnancy.

Criminal interference with health care services [~~or religious worship~~] in the second degree is a class A misdemeanor.

§ 4. Section 240.71 of the penal law, as amended by chapter 493 of the laws of 2009, is amended to read as follows:

§ 240.71 Criminal interference with health care services [~~or religious worship~~] in the first degree.

A person is guilty of criminal interference with health care services [~~or religious worship~~] in the first degree when [~~he or she~~] **such person** commits the crime of criminal interference with health care services [~~or religious worship~~] in the second degree and has been previously convicted of the crime of criminal interference with health care services [~~or religious worship~~] in the first or second degree or aggravated interference with health care services in the first or second degree.

Criminal interference with health care services [~~or religious worship~~] in the first degree is a class E felony.

§ 5. This act shall take effect immediately.